

# STATE OF NEW YORK

3186

2019-2020 Regular Sessions

## IN ASSEMBLY

January 28, 2019

Introduced by M. of A. GUNTHER -- Multi-Sponsored by -- M. of A. BRABE-  
NEC -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to excluding expenditures  
for school resource officers employed by a municipality and assigned  
to a school district from tax levy limitations

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. Subparagraphs (iii) and (iv) of paragraph i of subdivision  
2 2 of section 2023-a of the education law, as added by section 2 of part  
3 A of chapter 97 of the laws of 2011, are amended and a new subparagraph  
4 (v) is added to read as follows:

5 (iii) in years in which the normal contribution rate of the New York  
6 state teachers' retirement system, as defined by paragraph a of subdivi-  
7 sion two of section five hundred seventeen of this chapter, increases by  
8 more than two percentage points from the previous year, a tax levy  
9 necessary for expenditures for the coming fiscal year for school  
10 district employer contributions to the New York state teachers' retire-  
11 ment system caused by growth in the normal contribution rate minus two  
12 percentage points; ~~and~~

13 (iv) a capital tax levy~~[-]~~; and

14 (v) a tax levy necessary for expenditures to pay for a school resource  
15 officer that is currently employed by a municipality and assigned to the  
16 school district provided that the school district is in compliance with  
17 section thirteen hundred eighteen of the real property tax law.

18 § 2. Paragraph (a) of subdivision 6 of section 2023-a of the education  
19 law, as added by section 2 of part A of chapter 97 of the laws of 2011,  
20 is amended to read as follows:

21 (a) Notwithstanding any other provision of law to the contrary, in the  
22 event the trustee, trustees or board of education of a school district  
23 that is subject to the provisions of this section proposes a budget that  
24 will require a tax levy that exceeds the tax levy limit for the corre-

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 sponding school year, not including any levy necessary to support the  
2 expenditures pursuant to subparagraphs (i) through [~~(iv)~~] (v) of para-  
3 graph i of subdivision two of this section, then such budget shall be  
4 approved if sixty percent of the votes cast thereon are in the affirma-  
5 tive.

6 § 3. Section 2 of the education law is amended by adding a new subdi-  
7 vision 25 to read as follows:

8 25. "School resource officer" shall be defined as a police officer or  
9 peace officer who serves in a role as security personnel for a school  
10 district.

11 § 4. This act shall take effect immediately; provided that the amend-  
12 ments made to section 2023-a of the education law by sections one and  
13 two of this act shall not affect the repeal of such section and shall be  
14 deemed repealed therewith.